

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

JORDAN KEEFE,

Petitioner,

vs.

STATE OF MONTANA, MISSOULA  
COUNTY, SANDRA FAIRBANKS,  
HON. KAREN TOWNSEND,

Respondents.

Cause No. CV-17-97-H-BMM-JCL

ORDER

On October 10, 2017, Plaintiff Jordan Keefe, a state prisoner proceeding without counsel, filed a complaint alleging his Fourteenth Amendment rights were violated by the Defendants when they failed to give him credit for time served prior to the revocation of his state sentence. (Doc. 1 at 6-7.) Mr. Keefe, however, did not pay the filing fee or submit a motion to proceed in forma pauperis with his filing. On July 11, 2018, the Court issued an Order requiring Mr. Keefe to either pay the statutory filing fee of \$400.00 or submit a motion to proceed in forma pauperis on or before July 31, 2018. (Doc. 4.) Mr. Keefe has not responded to the Court's Order.

In order to institute a civil action in federal court, a plaintiff must either pay a filing fee of \$400.00 as required by 28 U.S.C. § 1914(a) or file a motion to

proceed in forma pauperis under 28 U.S.C. § 1915. Here, no case has been initiated because Mr. Keefe submitted neither the filing fee nor a motion to proceed in forma pauperis. Mr. Keefe's Complaint has not been filed, it was simply lodged with the Court.

Accordingly, the Clerk of Court is directed to close this matter.

DATED this 6<sup>th</sup> day of August, 2018.

/s/ John Johnston  
John Johnston  
United States Magistrate Judge